



*Attach to file copy of proclamation*

**THE STATE OF UTAH**  
**OFFICE OF STATE ENGINEER**  
**SALT LAKE CITY, UTAH**

**HAROLD A. LINKE**  
STATE ENGINEER

June 19, 1950

Memorandum for Office Study Only to H. A. Linke, State Engineer

RE: GOVERNOR'S PROCLAMATION  
DATED June 13, 1950

Certain communities in Box Elder and Cache Counties have evidenced their desire to appropriate water for municipal purposes from sources withdrawn from appropriation by Governor Blood's Proclamation, dated Nov. 9, 1938. The Bureau of Reclamation in whose interest the withdrawal was made, was contacted. ~~Mr. [unclear]~~ indicated that they would have no objections to a partial restoration.

In drawing up the Proclamation proposing to make the restoration a complete recital of the withdrawal Proclamation was set forth without considering the fact that by Proclamation, dated December 24, 1948, the Green River and its tributaries in Summit and Daggett Counties were restored to appropriation.

The Proclamation so drafted, was signed by Governor Lee June 13, 1950. It was called to the attention of this office by Secretary of State that the Proclamation, as signed, restored water to appropriation that was already subject to appropriation and, further, that an error had been made in the paragraph relating to Daggett County, in which the name "Sheep Creek" was used for "Carter Creek". In checking on this error, it appears that the words "Sheep Creek" was used in the Governor's Proclamation of November 9, 1938, withdrawing the water.

In the restoration Proclamation, dated December 24, 1948, Carter Creek, rather than Sheep Creek, was used deliberately to include the necessary water sources which was considered desirable to make available for appropriation. The present Proclamation correctly recited the Proclamation of November 9, 1938. However, to avoid confusion with regards to the sources restored by Proclamation of December 24, 1948, it was agreed by the Governor's Secretary, the Secretary of State, and Mr. Brennan, that the portion of the description relating to waters already subject to appropriation be stricken, and that the present restoration of the right to appropriate up to 2 sec.-ft. of water for municipal, domestic and stock-watering purposes be limited to Bear River, and the ~~large~~ tributaries in Rich, Summit, Cache and Box Elder Counties, Utah

CHE/ig